



Patent / Docket No. 31132.43
Customer No. 000027683

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Eisermann, et al.

Serial No. 10/773,494

Filed: February 6, 2004

For: ARTICULAR DISC PROSTHESIS FOR
LATERAL INSERTION

§
§ Group Art Unit: 3738
§
§
§ Examiner: Unknown
§
§
§

TRANSMITTAL

Mail Stop Missing Parts
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed are the following regarding the above-identified patent application:

1. The Notice to file Missing Parts of Application;
2. An executed Declaration;
3. A Petition for Extension of Time (4 month) (in duplicate);
4. A check in the amount of \$130.00 for the Missing Parts surcharge;
5. A check in the amount of \$1530.00 for the Extension of Time; and
6. A return postcard

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the papers submitted herewith or to credit any overpayment to Deposit Account No. 08-1394.

Respectfully submitted,

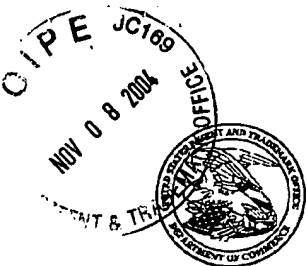
David M. O'Dell
Reg. No. 42, 044

Date: 11-5-04
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972-739-8635
Facsimile: 214-200-0853

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 11-5-04

Signature of person mailing paper and fee



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/773,494 | 02/06/2004 | Lukas Eisermann | PC856.00 / 31132.122 |

CONFIRMATION NO. 6640

FORMALITIES LETTER



OC000000012559812

027683
HAYNES AND BOONE, LLP
901 MAIN STREET, SUITE 3100
DALLAS, TX 75202

Date Mailed: 05/07/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

11/09/2004 1450DEL1 00000067 10773494 130.00 DP
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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY